

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KRISTIN PEREZ HAINES	:	CIVIL ACTION
	:	
v.	:	
	:	
RODNEY GENE LEE and	:	
NORTHSTAR TRUCKING SERVICES, INC.	:	NO. 02-CV-4432

ORDER

AND NOW, this day of , 2002, it is hereby ORDERED and
DECREED that the discovery deadline is extended for sixty (60) days. All other deadlines shall
be extended accordingly.

BY THE COURT:

J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KRISTIN PEREZ HAINES	:	CIVIL ACTION
	:	
v.	:	
	:	
RODNEY GENE LEE and	:	
NORTHSTAR TRUCKING SERVICES, INC.	:	NO. 02-CV-4432

MOTION TO EXTEND DISCOVERY

Defendants, Rodney Gene Lee and Northstar Trucking Services, Inc., by and through their attorneys, Rawle & Henderson LLP, request this Court grant the Motion to Extend Discovery and in support avers as follows:

1. On July 3, 2002, plaintiffs filed a Complaint in the United States District Court for the Eastern District of Pennsylvania for personal injuries allegedly arising out of a motor vehicle accident on August 3, 2000.
2. An Amended Complaint was filed by plaintiff on August 1, 2002.
3. In the Complaint, plaintiff, Kristin Perez-Haines, alleged that as a result of the accident with defendant, Lee, she sustained injuries to the neck and back including herniated disks in the cervical and lumbar spine.
4. Plaintiff also claims that she is completely disabled as a result of the injuries sustained in this accident and is receiving Social Security benefits for her disability.
5. Plaintiff is seeking recovery for a diminution in earning capacity as well claims for past and future medical expenses and pain and suffering.
6. According the Scheduling Order dated October 17, 2002, discovery was to be completed by December 17, 2002. Plaintiff's expert reports are due on January 30, 2003 and defendant's expert reports are due on February 28, 2003.

7. The parties have worked diligently in an effort to complete discovery within the time frame set forth by the Court. However, there is still some discovery that remains.

8. On October 31, 2002, defendants subpoenaed the records of plaintiff's medical and insurance providers identified in Plaintiff's Initial Disclosures.

9. The parties also exchanged discovery requests. Included with defendant's Request for Production of Documents to plaintiff, defendants request that plaintiff complete and return an authorization for income tax records, social security records, employment and education records.

10. On December 12, 2002, defendant received plaintiff's response to Interrogatories and Request for Production of Documents. Defendant has not received the requested authorizations. However, plaintiff has agreed to provide the authorizations for the social security records and supply income tax returns.

11. Defendant is still awaiting a response to the subpoena of records to Lancaster General Hospital, Radiology Dept.; The MRI Group; Evan O'Brien, M.D.; Lancaster Lincoln Mercury. Furthermore, although defendant received some records from State Farm, they have informed defendants that there are other portions of the file relating to other accident claims which were not initially provided, but will be provided.

12. The records recently received by defendant pursuant to discovery, reference prior accidents and treatment of plaintiff by other medical providers. Defendant has subpoenaed those records, however, they remain outstanding.

13. Additionally, Kristin Perez-Haines and Rodney Gene Lee were recently deposed on December 12, 2002. At her deposition, Perez-Haines identified her previous employers and the educational institutions that she has attended. Defendant subpoenaed those records, however, they will not be received by the discovery deadline.

14. These records are necessary in order for defendants to adequately evaluate and prepare a defense to the claims asserted by plaintiff, including claims for pain and suffering and diminution in earning's capacity.

15. Plaintiff Perez-Haines also testified at her deposition that she was married on November 4, 2000, three months after the accident and that the event was photographed and videotaped. Defendant has requested a copy of the video of the wedding via a Supplemental Request for Production of Documents.

16. Plaintiff has reviewed this motion and has no objection to the extension for sixty (60) days. Plaintiff does request that all discovery deadlines be extended accordingly.

17. In light of the above, plaintiff and defendants request a sixty (60) day extension of the discovery deadline to allow time to receive the records subpoenaed, as well as those identified by plaintiff at her deposition and to permit defendant to obtain the complete Social Security file, income tax returns, education and employment records. The extension will also provide adequate time for plaintiff to provide a response to the request for the videotape of the November 4, 2000 wedding of plaintiff.

WHEREFORE, defendants request that this Honorable Court grant the Motion to Extend the deadline for discovery for 60 days. All other discovery deadlines shall be extended accordingly.

RAWLE & HENDERSON LLP

By: _____

Timothy J. Abeel, Esquire
Identification No. 23104
Dawn L. Jennings, Esquire
Identification No. 68939
The Widener Building
One South Penn Square
Philadelphia, PA 19107
215-575-4200
Attorneys for Defendants,
Rodney Gene Lee and
Northstar Trucking Services, Inc.

CERTIFICATION OF SERVICE

I hereby certify that on today's date I served a true and correct copy of the foregoing Motion to Extend Discovery by facsimile and first-class mail, postage prepaid, upon all attorneys and interested parties addressed as follows:

Gregg R. Durlofsky
111 West Germantown Pike
Plymouth Meeting, PA 19642

RAWLE & HENDERSON LLP

By: _____
Timothy J. Abeel, Esquire
Identification No. 23104
Dawn L. Jennings, Esquire
Identification No. 68939
The Widener Building
One South Penn Square
Philadelphia, PA 19107
215-575-4200
Attorneys for Defendants,
Rodney Gene Lee and
Northstar Trucking Service, Inc.

DATED: